

7-10-90 Minutes

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., July 10, 1990.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Joanne A. Grahame; Councilman Payton M. Otey; Vice Mayor John M. Owen, III; Councilman Ronnie C. Rice; and Councilman James A. Vest.

Members absent: None.

Staff present: City Manager Jack A. Gross; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of a regular Council meeting held on June 26, 1990, and the adjourned Council meeting held on July 2, 1990, were approved as corrected.

The City Manager reported that Council has been provided with an information sheet regarding the City's debt ratio.

Mayor Shelton commended the Recreation Department, Police Department, and Public Works Department for the outstanding Fourth of July Funfest.

Mayor Shelton stated that Centerfest this year is commemorating the 100th anniversary of the name change from Liberty to Bedford City. He stated that Main Street, Inc., is requesting that Council establish an official City flag, which would be unveiled on that day; and would be displayed in front of the Municipal Building and in the Council Chambers. Mayor Shelton stated that the approximate cost would be \$500 and that funds are available.

Council concurred to proceed in establishing an official City flag.

Mayor Shelton asked the Street Committee to work with the administration in the naming of the middle section of the Route 122 North/South connector and report back to Council.

Mayor Shelton opened the public hearing at 7:45 p.m.

The Clerk of Council read aloud the following public hearing notice:

NOTICE OF PUBLIC HEARING

On the 10th day of July, 1990, the City Council of the City of Bedford, Virginia, will conduct a public hearing on a proposed ordinance entitled "Ordinance Authorizing the Issuance of

Water and Sewer Bonds of the City of Bedford, Virginia, in the Maximum Amount of \$4,000,000."

The public hearing will be conducted at 7:30 p.m. in City Council Chambers, Municipal Building, 215 East Main Street, Bedford, Virginia.

A copy of the full text of the proposed ordinance is on file in the office of the Clerk to the Council of the City and may be viewed by interested citizens during business hours of 8:30 a.m. to 5:00 p.m., Monday through Friday.

City Manager Gross stated that he was asked by the City's bond counsel, Hunton and Williams, to clarify one point and state for the purpose of the public hearing that the bonds which are proposed will be secured only by a pledge of revenues and not a pledge of revenues and general obligations of the City.

As there were no further comments, Mayor Shelton closed the public hearing at 7:46 p.m.

The consent agenda consisted of the following item: Appointment of members to the Keep Bedford Beautiful Commission as follows:

- Reappointment for three-year terms expiring June 30, 1990:

Mary Johnson and Louise Robertson

- Reappointment to an unexpired term expiring June 30, 1991:

Ann Wood

- Appointment to serve unexpired terms expiring June 30, 1992:

Margaret Mosby, 536 Westview Avenue; Pauline Layton, 1011 Hampton Ridge; and Jeff Krantz, Route 6, Box 175

On motion by Councilman Brookshier, seconded by Councilman Rice, voted upon and carried unanimously, Council adopted the consent agenda.

The Clerk of Council read aloud the following revised ordinance, as the first reading of the ordinance:

ORDINANCE AUTHORIZING THE ISSUANCE OF WATER

AND SEWER BONDS OF THE CITY OF BEDFORD, VIR-

GINIA, IN THE MAXIMUM AMOUNT OF \$4,000,000

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, VIRGINIA;

1. It is hereby determined to be necessary and expedient for the City of Bedford, Virginia (the "City"), to construct improvements (the "Project") to the City's sewer system, including, but not limited to improvements to its sewage treatment plant and inflow and infiltration rehabilitation work, and to borrow money for such purpose and issue the City's revenue bonds therefor.

2. Pursuant to the Constitution and statutes of the Commonwealth of Virginia, including the City Charter and the Public Finance Act, there are hereby authorized to be issued water and sewer bonds of the City in the maximum amount of \$4,000,000 to provide funds, together with other available funds, to finance the Project.

3. The bonds shall bear such date or dates, mature without interest at such time or times not exceeding forty years from their dates, be in such denominations and form, be executed in such manner and be sold at such time or times and in such manner, including the sale of one or more separate issues or in combination with the sale of bonds authorized for similar or other purposes, as the Council may hereafter provide by appropriate resolution or resolutions.

4. The bonds shall be limited obligations of the City, payable as to principal either solely from revenues derived from the City's water and sewer systems, which revenues may be pledged for that purpose, or from such revenues together with such contributions of other units of government as the City may pledge or make available for such purpose. Neither the faith and credit of the Commonwealth of Virginia nor the faith and credit of any county, city, town or other political subdivision of the Commonwealth, including the City, shall be pledged to the payment of principal of or interest on the bonds.

5. This ordinance shall take effect immediately.

Mayor Shelton submitted the following appointments to Council committees and to various boards and commissions:

City Council Standing Committees:

Armory Committee

Chairman	Ronnie C. Rice
	Payton M. Otey

Electric Committee

Chairman James A. Vest
 Payton M. Otey

Finance Committee

Chairman John M. Owen, III
 James A. Vest

Property Committee

Chairman Larry D. Brookshier
 Ronnie C. Rice

Public Safety Committee

Chairman Payton M. Otey
 Joanne A. Grahame

Streets Committee

Chairman Joanne A. Grahame
 Ronnie C. Rice

Water & Sewer Committee

Chairman Larry D. Brookshier
 John M. Owen, III

CITY COUNCIL SPECIAL COMMITTEES

Local Government

Chairman John M. Owen, III
 James A. Vest

City/Council Relations

Chairman Joanne A. Grahame
 Larry D. Brookshier

Solid Waste Committee:

Chairman James A. Vest

Ronnie C. Rice

Joint City Council/Library Board Committee:

Chairman Joanne A. Grahame

John M. Owen, III

Larry D. Brookshier

City Planning Commission Larry D. Brookshier

Transportation Safety Commission James A. Vest

Keep Bedford Beautiful Commission G. Michael Shelton

Blue Ridge Emergency Medical Services

Council John M. Owen, III

Central Virginia Area Agency on Aging

Board of Directors Joanne A. Grahame

Lynchburg Community Action Group, Inc.

Board of Directors Joanne A. Grahame

Central Virginia Planning District

Commission Ronnie C. Rice

CVPDC Regional Planning

Advisory Committee Payton M. Otey

CVPDC Transportation Planning

Advisory Committee Payton M. Otey

Central Piedmont Employment

Consortium Policy Board Ronnie C. Rice

Bedford Area Chamber of Commerce:

Economic Development Committee John M. Owen, III

Tourism Steering Committee James A. Vest

Bedford Main Street, Inc., Board

of Directors James A. Vest

On motion by Councilman Brookshier, seconded by Councilwoman Grahame, voted upon and carried unanimously, Council approved the appointments as submitted.

On motion by Councilman Rice, seconded by Councilman Otey, voted upon and carried unanimously, the following individuals were appointed to the City School Board for three year terms expiring June 30, 1993: Elizabeth A. Bailey, Diana B. Gardner, and Molly C. Thompson.

On motion by Councilwoman Grahame, seconded by Councilman Brookshier, voted upon and carried unanimously, William S. Ludwig was appointed as the City's representative on the County School Board for a one year term expiring June 30, 1991.

City Manager Gross stated that the Executive Director of Bedford Main Street, Inc., Linda Kochendarfer, is requesting the closing

of the following streets from 7:30 a.m. on September 29 to

2:00 a.m. on September 30, 1990, for the Centerfest celebration:

South Bridge to Washington

North Bridge to Depot

East Main to South Street

West Main to Center Street

The City Manager stated that written permission has been obtained from all abutting property owners.

On motion by Councilman Vest, seconded by Councilwoman Grahame, voted upon and carried unanimously, Council granted the request of Bedford Main Street, Inc., to close the above streets from 7:30 a.m. on September 29 to 2:00 a.m. on September 30.

The Clerk of Council read aloud the following proposed resolution:

RESOLUTION

WHEREAS, the Council of the City of Bedford, Virginia, recognizes the existence of a litter problem within the boundaries of the City of Bedford; and

WHEREAS, the Virginia Waste Management Act provides, through the Department of Waste Management, Division of Litter Control and Recycling, for the allocation of public funds in the form of Grants for the purpose of enhancing local litter control; and

WHEREAS, having reviewed and considered the Regulations and the Application covering administration and use of said funds;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Bedford:

Hereby endorses and supports such a program for the City of Bedford as is indicated in the attached Application Form LCG-1; and

Hereby authorizes the City Manager to plan, budget, and apply for a Grant which, if approved, will be used to fund said Program; and

Hereby requests the Department of Waste Management, Division of Litter Control and Recycling, to consider and approve said Application and Program, said Program being in accord with the regulations governing use and expenditure of said funds.

On motion by Councilman Brookshier, seconded by Councilman Vest, voted upon and carried by the following roll call vote, Council adopted the resolution:

Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	aye
Councilman Rice	aye
Councilman Vest	aye
Mayor Shelton	aye

The Clerk of Council read aloud the following proposed ordinance:

An ordinance to readopt and reenact Section 13-2 of the City Code incorporating by reference current provisions of the Code of Virginia dealing with traffic laws and motor vehicle operation.

BE IT ORDAINED by the Council of the City of Bedford that:

1. Section 13-2 of the City Code, a copy of which is on file in the City Clerk's Office, is hereby readopted and reenacted (except all references to Title 46.1 of the Code of Virginia shall refer to the applicable provisions of Title 46.2).

2. With respect to sections or provisions of the State Code incorporated by reference in the City Code, Council recognizes any amendments made to such sections or provisions of the State Code by the most recent Session of the General Assembly and hereby expresses the intent and ordains that such amendments to sections or provisions of the State Code incorporated by reference in the City Code shall be included in the City Code verbatim as enacted by the most recent Session of the General Assembly.

Councilwoman Grahame moved that the ordinance be adopted. The motion was seconded by Councilman Otey, voted upon and carried unanimously by the following roll call vote:

Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	aye
Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Mayor Shelton	aye

The Clerk of Council read aloud the following proposed resolution:

RESOLUTION

WHEREAS, Section 11 of the Charter of the City of Bedford requires that Council shall "fix the time and place of its meeting," and

WHEREAS, the City Code requires in Section 2-3 that meetings shall be on the "the second and fourth Tuesday of each month," and

WHEREAS, there have been no requests for items to be placed on the agenda for July 24, 1990, and there does not appear to be any business requiring the immediate attention of the City Council on that date;

NOW, THEREFORE, BE IT RESOLVED that the City Council meeting scheduled for July 24, 1990, be and the same hereby is canceled; and

BE IT FURTHER RESOLVED that the Council meeting of July 10, 1990, be

adjourned to August 14, 1990.

On motion by Councilman Vest, seconded by Councilman Otey, voted upon and carried unanimously by the following roll call vote, Council adopted the resolution:

Councilman Otey	aye
Vice Mayor Owen	aye
Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Councilwoman Grahame	aye
Mayor Shelton	aye

On motion by Councilman Rice, seconded by Councilwoman Grahame, voted upon and carried unanimously by the following roll call vote, Council adjourned into executive session for consultation with legal counsel and briefing regarding the County of Bedford vs. the City of Bedford, pursuant to Section 2.1-344(a)(7) of the Code of Virginia of 1950, as amended:

Vice Mayor Owen	aye
Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Mayor Shelton	aye

Council adjourned into executive session at 8:00 p.m., following a two minute recess. Non-council members attending were: City Manager Gross, City Attorney Berry, Clerk of the Council Hatcher, and Carter Glass.

Council reconvened into open session at 8:51 p.m.

The Clerk of Council read aloud the following proposed resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this

certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

On motion by Councilman Brookshier, seconded by Councilwoman Grahame, voted upon and carried unanimously by a roll call vote, Council approved the resolution as read:

Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	aye
Mayor Shelton	aye

Mayor Shelton adjourned the meeting at 8:52 p.m. until August 14, 1990, at 7:30 p.m.